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DT Rec'd PCT/PTO

07 AUG 2002

Ref #7

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re United States Patent Application of:

Applicant: Michaela Arndt, et al.

Application No.: 10/049,404

Date Filed: February 5, 2002

Title: F<sub>v</sub> ANTIBODY CONSTRUCT  
COMPRISING BINDING SITES  
FOR A CD16 RECEPTOR AND  
A CD30 SURFACE PROTEIN

Docket No.: 4121-135

Examiner: Not yet assigned.

Group Art Unit: Not yet assigned.



23448

PATENT & TRADEMARK OFFICE

**FIRST CLASS MAIL CERTIFICATE**

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, Box MISSING PARTS, Washington, DC 20231, and First Class Mailed under the provisions of 37 CFR 1.8.

08/08/2002 LLANDGRA 00000063 10049404

*Lee Ann Brown*

Lee Ann Brown

02 FC:216

200.00 DP

July 31, 2002

Date of Mailing

**CORRECTION OF**  
**RESPONSE TO THE NOTIFICATION OF MISSING REQUIREMENTS IN**  
**U.S. PATENT APPLICATION NO. 10/049,404**  
**AND**  
**REQUEST FOR TWO-MONTH EXTENSION OF TERM UNDER 37 C.F.R. §1.136(a)**  
**AS FILED ON JULY 29, 2002**

Commissioner for Patents  
Box MISSING PARTS  
Washington, D.C. 20231


Sir:

In the earlier Response to the Notification of Missing Requirements, filed on July 29, 2002 in the subject application, the date of the Notification of Missing Requirements was inadvertently identified as May 16, 2002, when it should have been identified as April 16, 2002.

**REQUEST FOR TWO MONTHS EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a)**

In the request for a two-month extension of time under 37 C.F.R. 1.136(a), the date of the Notification of Missing Requirements was again inadvertently identified as May 16, 2002, when it should have been identified as **April 16, 2002**. Therefore the Request is for an extension of time for responding to the April 16, 2002 Notification of Missing Requirements to **August 16, 2002**.

Respectfully submitted,

  
Marianne Fuierer  
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Attorney for Applicant

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APR 22



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/049,404                  | Michaela Arndt        | 4121-135         |

|                               |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/DE00/02589

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 08/02/2000       | 08/06/1999    |

Steven J Hultquist  
 Intellectual Property/Technology Law  
 P O Box 14329  
 Research Triangle Park, NC 27709

CONFIRMATION NO. 1053

371 FORMALITIES LETTER



\*OC000000007858419\*

Date Mailed: 04/16/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

*Respond to Notification:*  
 6/16/02 *DR* ✓

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

#### PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/049,404                  | PCT/DE00/02589                | 4121-135         |